IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8676 OF 2005

The Pune Taximen's Consumer
Co-op.Society Ltd; Pune. Petitioner

versus

The State of Maharashtra
and others Respondents

Shri P.B.Shaligram for petitioner.

Ms.Bhavna Shah for respondent no.5.

Shri N.P.Deshpande, AGP for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 15th February 2006

PC :

1. This petition under Article 227 of the Constitution is challenging the order which has been passed by the State Transport Appellate Tribunal on 18th July 2005.

2. Upon taking instructions from the petitioner's representative Shri Shaligram appearing for the petitioner does not press this petition. However, he submits that with a view

to end the stalemate of allotment of Galas finally, a representation has been made on 1st February 2006 by the petitioner society to the Regional Traffic Authority, Deputy Commissioner of Police and Commissioner - Mumbai Municipal Corporation. The request made therein is to allot Gala Nos.24 to 30 and parking space below fly over bridge at Dadar. Shri Shaligram states that the petitioner would be satisfied if a direction is issued to the authorities to consider this representation and pass appropriate orders thereon within some fixed time period.

3. Ms.Shah appearing for respondent no.5 which is a Mumbai Union, points out that Gala Nos.19 to 25 are already allotted to the Mumbai Union and the plea in the representation on the basis that Gala Nos.24 to 30 are vacant, is therefore, untenable and cannot be granted.

4. In my view, this aspect of the matter cannot fall for my consideration but for the authorities to take a final decision and conclude the parking space problems faced by the Pune and Mumbai Unions. If Gala Nos.19 to 25 are indeed occupied by Mumbai Union, then alternate request to allot Gala Nos.26 to 30 to Pune Union can always be

considered and appropriate decision be taken by the authorities not only in the interest of Unions but also in the public interest. The representation made by petitioner Union dated 1st February 2006 shall be disposed of by Greater Mumbai Municipal Corporation within a period of six weeks from today. Petition disposed of.

(S.C.DHARMADHIKARI, J.)